

MAY-23-2006 15:10

FATTIBENE AND FATTIBENE

203 259 0033 P.01/05

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Paul ROYO  
 Serial No. : 10/563,176  
 Int'l App. No. : PCT/EP2004/007396  
 Int'l Filing : 6 July 2004  
 For : A VCSEL HAVING IMPROVED TRANSVERSE MODE  
 CONTROL BY OPTIMIZING THE INCREASED OXIDE  
 APERTURE RELATIVE TO THE LASER DIMENSION  
 Attorney docket : P-2597

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MAY 23 2006

Mail Stop: PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

**TRANSMITTAL LETTER FOR SIGNED DECLARATION  
 To Enter National Stage**

Sir:

Transmitted herewith please find the **following** documents:

1. A signed Declarations for Patent Application; identifying the application by filing date and application number;
2. Copy of Notification of Missing Requirements under 35 USC §371 in the United States Designated/Elected Office, form PCT/DO/EO/905; and
3. A Fee Transmittal Form and Credit Card Payment Form authorizing a charge for the Surcharge fee of \$65.00.

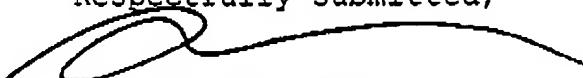
While the enclosed fee is believed to be correct if there is any deficiency or overpayment please debit or credit deposit account 06-0250 as required.

05/26/2006 ATRAN1 00000120 10563176

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Respectfully submitted,

  
 Paul A. Fattibene  
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## Certification of Facsimile Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office located at facsimile number 571-273-8300 on the date indicated by my signature below.

May 23, 2006

Date

  
 Paul A. Fattibene

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/563,176	Paul Royo	P-2597

2120  
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FATTIBENE and FATTIBENE

INTERNATIONAL APPLICATION NO.

PCT/EP04/07386

LA. FILING DATE

07/06/2004

PRIORITY DATE

07/07/2003

CONFIRMATION NO. 3766  
 371 FORMALITIES LETTER



\*OC000000018449487\*

Date Mailed: 04/04/2006

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/30/2005
- Copy of the International Search Report filed on 12/30/2005
- Copy of IPE Report filed on 12/30/2005
- Copy of Annexes to the IPER filed on 12/30/2005
- Preliminary Amendments filed on 12/30/2005
- Information Disclosure Statements filed on 12/30/2005
- Oath or Declaration filed on 12/30/2005
- Small Entity Statement filed on 12/30/2005
- U.S. Basic National Fees filed on 12/30/2005
- Priority Documents filed on 12/30/2005
- Specification filed on 12/30/2005
- Claims filed on 12/30/2005
- Abstracts filed on 12/30/2005
- Drawings filed on 12/30/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

*A copy of this notice MUST be returned with the response.*

VONDA M WALLACE

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Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/563,176	PCT/EP04/07386	P-2597

FORM PCT/DQ/EO/905 (371 Formalities Notice)

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